



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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Serial No. 10/695,873

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MAILED

SEP 21 2005

In re Application of
Akio Matsunega, et al

Serial No. 10/695,873

Filed: October 30, 2003

For: EGR-GAS TEMPERATURE ESTIMATION :
APPARATUS FOR INTERNAL
COMBUSTION ENGINE

Director's Office
Group 3700

DECISION ON REQUEST
TO WITHDRAW HOLDING
OF ABANDONMENT
BASED ON NON-RECEIPT
OF OFFICE ACTION

Receipt is acknowledged of Applicant's request to withdraw a holding of abandonment pursuant to MPEP Section 711.03, filed December 10, 2004. Applicant has requested that the holding be withdrawn based on the non-receipt of a Notice of Allowance mailed June 23, 2004. No fee has been charged to Applicant's deposit account for this request.

This application was held to be abandoned because Applicant did not pay the issue fee within the shortened statutory period after the Notice of Allowance.

At 1156 O.G. 53, a representative of the Commissioner set forth guidelines concerning the showing needed to be made when seeking withdrawal of the holding of an abandonment due to the non-receipt of an Office action. These guidelines state, in pertinent part, that the showing must consist of a statement from the practitioner representing an applicant stating that the Office action was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Office action was not received. A copy of the docket record where the non-received Office action would have been entered had it been received and docketed must be attached and referenced in the practitioner's statement.

Applicant's request to withdraw the holding of abandonment contains a showing which is considered to comply with these requirements.

The Notice of Allowance is being remailed with this letter. The application will be forwarded to Publications Branch for issue processing.

Holding of Abandonment RESCINDED.

Richard A. Bertsch
Director T.C. 3700